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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

| | | |
|---------------------------|---|-------------------------------------|
| UNITED STATES OF AMERICA, |) | |
| |) | No. 3:20-cr-00332-SI-1 |
| Plaintiff, |) | |
| |) | |
| vs. |) | DECLARATION IN SUPPORT OF |
| |) | UNOPPOSED MOTION TO CONTINUE |
| EDWARD WILLIAM CARUBIS, |) | TRIAL DATE AND WAIVER OF |
| |) | SPEEDY TRIAL |
| Defendant. |) | |
| |) | |

I, Lisa J. Ludwig, declare the following to be true to the best of my knowledge:

1. On August 3, 2020 I was retained as counsel, relieving Assistant Federal Public Defender Bryan Francesconi for Defendant, Edward Carubis in this prosecution;
2. I make this Declaration in support of the attached Motion to Continue Trial Date and Waiver of Speedy Trial;
3. The current trial date is February 1, 2022;
4. Mr. Edward Carubis is charged with one count of Assault on a Federal Officer, in violation of Title 18, United States Code, Section 111(a), a Class A misdemeanor;
5. Mr. Edward Carubis is currently out custody pending a resolution of this matter;
6. A continuance of the current trial date for approximately 30 days is necessary to

provide the defense and government enough time to continue with negotiations ahead of a trial date. The government has indicated that they are in a position to have a substantive conversation with the defense next week. This continuance will provide the defense and government enough time to continue with negotiations ahead of a trial date;

7. This is the ninth (pandemic-era) motion to reset the trial date filed in this case on behalf of current counsel;

8. I have conferred with AUSA Craig Gabriel and on behalf of the government he does not oppose this motion;

9. Mr. Carubis has been advised by undersigned counsel of his right to speedy trial under 18 U.S.C. § 3161(h)(7)(A) and the Sixth Amendment to the United States Constitution. Mr. Carubis waives his right to speedy trial in this case 3:20-cr-00332-SI-1 and understands the court will find excludable delay to under the Speedy Trial Act between January 1, 2022, and the next date selected for trial pursuant to Title 18, United States Code, Section 3161(h)(7)(A).

I declare under penalty of perjury that the forgoing is correct to the best of my knowledge and belief.

RESPECTFULLY SUBMITTED this 19th January 2022.

/s/ Lisa J. Ludwig

Lisa J. Ludwig, OSB #953387

Attorney for the Defendant